REMARKS

By this amendment, claims 16 and 19 have been amended. Claims 1-8, 10-12, and 16-25 remain pending in the subject application. There is no new matter in the additional languages of amended claims 16 and 19. A marked up version of the amended claims is presented in APPENDIX A.

REJECTION OF CLAIMS 1-8, 10-12, and 16-25 UNDER 35 U.S.C. §103

Claims 1-8, 10-12, and 16-25 are rejected under 35 U.S.C. §103(a) as being unpatentable over Verkler et al. (U.S. Patent 5,850,517, herein after "Verkler") in view of Eggleston et al. (U.S. Patent 5,958,006, herein after "Eggleston"). This rejection is respectfully traversed.

On page 2, the Office Actions states that "In response to the Applicant's arguments, Applicant state that 'Verkler et al. fails to disclose that transmitting a message from a transceiver associated with the server directly to a transceiver associated with the client station in response to the server having information for the client station without the client station initiating to establish a connection to the server'. Verkler et al. disclosed a method for transmitting information from a server to a client station in a mobile-based client-server system wherein determining whether the server has information to be transmitted to the client station without the client station initiating to establish a connection to the server and transmitting a message from the server's transceiver directly to a client's transceiver

indicating the server has information for the client station (col. 4/ln. 12-16)."

It is respectfully submitted that the above statement in the Office Action is not a true characterization of the teaching of Verkler.

In column 4, lines 12-16, Verkler discloses that the client-server system of the present invention allows the client to receive unsolicited information (e.g., data alerts). Data alerts allow the user to receive information, such as changes to data as they occur, without having to actively request them.

In describing how the client-server system allows the client to receive unsolicited information without having to request them, Verkler discloses in column 4, lines 19-26, that, when sending a data alert, server 103 sends data addressed to client 101. Agent 102 receives the data on behalf of client 101 from server 103 and thereafter sends the data to client 101. Unsolicited information for client 101 may result from agent 102 querying server 103 for information (e.g., data alerts) on a regular, or irregular, basis and then forwarding responses received from server 103 to client 101.

Verkler further discloses in column 4, lines 40-47, that if client 101 is presently in communication with agent 102 (via wireless or wired network), then agent 102 delivers the information to client 101. However, if client 101 is not presently in communication with agent 102, then agent 102 waits to send the data until client 101 is again connected to agent 102. When this occurs, agent 102 stores the data in a

queue until agent 102 determines that client 101 is again connected to agent 102.

Therefore, Verkler discloses sending unsolicited information from client 103 to agent 102 in response to agent 102 querying server 103 for information. Agent 102 then forwards the unsolicited information to client 101 only if client 101 is presently in communication with agent 102. Otherwise, the unsolicited information sits on agent 102 until client 101 is again connected to agent 102.

In other words, Verkler discloses a two-step process for delivering unsolicited information from a server to a client. In the first step, the information is delivered from the server to an agent. This first step is accomplished by the agent querying the server. In the second step, the agent forwards the information to the client. This second step is accomplished only when the client is presently in communication with the agent. Otherwise, the information waits at the agent to be forwarded to the client when the client establishes a connection with the agent.

Accordingly, it is respectfully submitted that Verkler neither teaches nor suggests transmitting a message from a transceiver associated with the server directly to a transceiver associated with the client station in response to the server having information for the client station without the client station initiating to establish a connection to the server, as alleged on page 2 of the Office Action.

Eggleston discloses a method and apparatus for communicating summarized data. With reference to Fig. 3, Eggleston describes a VSM receiving registration from a

client, establishing a virtual session between the client and the VSM, and detecting a time out to logoff the client. Eggleston also describes in columns 7-10 evaluating a message in terms of priority, quantity, etc.

Claim 1 calls for, among other things, transmitting a message from a transceiver associated with the server directly to a transceiver associated with the client station in response to the server having information for the client station without the client station initiating to establish a connection to the server. At least this element of claim 1 is not taught or suggested by Verkler and Eggleston, either singly or in combination. Furthermore, Verkler teaches away from the above element of claim 1 by teaching that agent 102 delivers the information to client 101 if client 101 is presently in communication with agent 102 or waits to send the data until client 101 is again connected to agent 102. Therefore, Verkler in view of Eggleston does not make claim 1 obvious under 35 U.S.C. §103.

Claims 2-8, 24, and 25 depend from claim 1 and are believed to be allowable over Verkler and Eggleston for at least the same reasons as claim 1.

Claim 10 calls for, among other things, transmitting a message from the server directly to the client station without the client station initiating to establish a connection to the server. At least this element of claim 10 is not taught or suggested by Verkler and Eggleston, either singly or in combination. Furthermore, Verkler teaches away from the above element of claim 10 by teaching that agent 102 delivers the information to client 101 if client 101 is presently in

communication with agent 102 or waits to send the data until client 101 is again connected to agent 102. Therefore, Verkler in view of Eggleston does not make claim 10 obvious under 35 U.S.C. §103.

Claims 11 and 12 depend from claim 10 and are believed to be allowable over Verkler and Eggleston for at least the same reasons as claim 10.

Claim 16 claims a machine readable medium having stored thereon a program and calls for, among other things, evaluating a received message to determine whether the server has information of a selected type and quantity for the client station, the received message being transmitted from the server directly to the client station without the client station first initiating a connection with the server. At least these elements of claim 16 are not taught or suggested by Verkler and Eggleston, either singly or in combination. Therefore, Verkler in view of Eggleston does not make claim 16 obvious under 35 U.S.C. §103.

Claims 17 and 18 depend from claim 16 and are believed to be allowable over the relied on references of Verkler and Eggleston for at least the same reasons as claim 16.

Claim 19 claims a mobile-based client-server system and calls for, among other things, a server coupled to the server transceiver and configured to transmit a message to the client station via a direct link between the server transceiver and the client station transceiver in response to receiving or generating information of a selected type and quantity to be delivered to the client station regardless of whether the client station has initiated transmission by establishing a

connection with the server. At least this element of claim 19 is not taught or suggested by Verkler and Eggleston, either singly or in combination. Therefore, Verkler in view of Eggleston does not make claim 16 obvious under 35 U.S.C. §103.

Claims 20-23 depend from claim 19 and are believed to be allowable over the relied on references of Verkler and Eggleston for at least the same reasons as claim 19.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that applicants' claims 1-8, 10-12, and 16-25 are allowable in view of the relied on references and the subject application is now in condition for allowance. Such Action is earnestly and respectfully requested.

Should the Examiner have any questions or comments, he is invited to call the undersigned representative of Applicants at (408) 993-1555.

Respectfully submitted,

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APPENDIX A

MARKED UP VERSION OF THE AMENDED CLAIMS

16. (Five Times Amended) A machine readable medium having stored thereon a program for adapting a client station to receive and process messages transmitted from a server via a wireless network connection, and for causing the client station to perform the steps of:

evaluating a received message to determine whether the server has information of a selected type and quantity for the client station, the received message being transmitted from the server directly to the client station without the client station first initiating a connection with the server;

generating a signal containing a telephonic address of a transceiver associated with the server and instructions for establishing a log-on connection with the server in response to the server having the information of the selected type and quantity; and

transmitting the signal to the transceiver associated with the server to establish a communication link with the server based on the telephonic address.

19. (Five Times Amended) A mobile-based client-server system, comprising:

a client station transceiver;

a client station coupled to the client station transceiver;

a server transceiver; and

a server coupled to the server transceiver and configured to periodically receive or generate information to be delivered to the client station and to transmit a message to the client station via a direct link between the server transceiver and the client station transceiver in response to receiving or generating information of a selected type and quantity to be delivered to the client station regardless of whether the client station has initiated transmission by establishing a connection with the server.